



**FINAL ADMINISTRATIVE DECISION
ILLINOIS PROPERTY TAX APPEAL BOARD**

APPELLANT: 1126 W. Fullerton Condo Association
DOCKET NO.: 15-22685.001-R-1 through 15-22685.003-R-1
PARCEL NO.: See Below

The parties of record before the Property Tax Appeal Board are 1126 W. Fullerton Condo Association, the appellant, by attorney Timothy E. Moran, of Schmidt Salzman & Moran, Ltd. in Chicago; and the Cook County Board of Review.

Based on the facts and exhibits presented in this matter, the Property Tax Appeal Board hereby finds **No Change** in the assessment of the property as established by the **Cook** County Board of Review is warranted. The correct assessed valuation of the property is:

DOCKET NO	PARCEL NUMBER	LAND	IMPRVMT	TOTAL
15-22685.001-R-1	14-29-425-047-1001	9,325	46,558	\$55,883
15-22685.002-R-1	14-29-425-047-1002	6,770	33,801	\$40,571
15-22685.003-R-1	14-29-425-047-1003	7,282	36,357	\$43,639

Subject only to the State multiplier as applicable.

Statement of Jurisdiction

The appellant timely filed the appeal from a decision of the Cook County Board of Review pursuant to section 16-160 of the Property Tax Code (35 ILCS 200/16-160) challenging the assessment for the 2015 tax year. The Property Tax Appeal Board finds that it has jurisdiction over the parties and the subject matter of the appeal.

Findings of Fact

The subject property consists of a 3-unit condominium building.¹ The building is approximately 8 years old.² The property has a 3,653-square foot site and is located in Chicago, Lake View Township, Cook County. The subject is classified as a class 2-99 property under the Cook County Real Property Assessment Classification Ordinance.

¹ The appellant did not disclose the size of the condominium units.

² The parties differ slightly as to the age of the subject building. The Board finds this discrepancy will not impact the decision in this appeal.

The appellant contends assessment inequity as the basis of the appeal.³ The appellant did not contest the subject's land assessment. In support of this argument, the appellant submitted information on five apartment buildings that were located within the same neighborhood code as the subject. The comparables had improvement assessments ranging from \$74,644 to \$81,198 or from \$20.66 to \$21.50 per square foot of living area.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$140,093. The subject property has an improvement assessment of \$116,716. In support of its contention of the correct assessment, the board of review submitted a 2014 condominium analysis based on two of the subject's condominiums that sold in 2008 for \$425,000 and \$675,000 and revealing that all of the subject's condominium units are assessed equitably by their percentage of ownership.

Conclusion of Law

The taxpayer contends assessment inequity as the basis of the appeal. When unequal treatment in the assessment process is the basis of the appeal, the inequity of the assessments must be proved by clear and convincing evidence. 86 Ill.Admin.Code §1910.63(e). Proof of unequal treatment in the assessment process should consist of documentation of the assessments for the assessment year in question of not less than three comparable properties showing the similarity, proximity and lack of distinguishing characteristics of the assessment comparables to the subject property. 86 Ill.Admin.Code §1910.65(b). The Board finds the appellant did not meet this burden of proof and a reduction in the subject's assessment is not warranted.

The Board finds the only evidence of assessment equity to be the appellant's comparables. However, the appellant failed to disclose the size of the condominium units, thereby making any comparable analysis meaningless. Furthermore, the appellant submitted dissimilar apartment buildings when compared to the subject condominium building. Nevertheless, the appellant's comparables had improvement assessments ranging from \$74,644 to \$81,198. The subject's improvement assessment of \$116,716 falls above the range established by the comparables in this record, but appears justified given the subject's newer age. The Board gave less weight to the board of review's 2014 condominium analysis based on two of the subject's condominium sales, as this evidence is not responsive to the improvement inequity argument brought by the appellant. Based on this record the Board finds the appellant did not demonstrate with clear and convincing evidence that the subject's improvement was inequitably assessed and a reduction in the subject's assessment is not justified.

³ The parties differ as to the land and improvement assessments for the subject property, however, the parties agree as to the total assessment for the subject property. For the purpose of deciding this appeal, the Board will use the appellant's assessment breakdown.

This is a final administrative decision of the Property Tax Appeal Board which is subject to review in the Circuit Court or Appellate Court under the provisions of the Administrative Review Law (735 ILCS 5/3-101 et seq.) and section 16-195 of the Property Tax Code. Pursuant to Section 1910.50(d) of the rules of the Property Tax Appeal Board (86 Ill.Admin.Code §1910.50(d)) the proceeding before the Property Tax Appeal Board is terminated when the decision is rendered. The Property Tax Appeal Board does not require any motion or request for reconsideration.



Chairman



Member



Member



Member



Member

DISSENTING: _____

CERTIFICATION

As Clerk of the Illinois Property Tax Appeal Board and the keeper of the Records thereof, I do hereby certify that the foregoing is a true, full and complete Final Administrative Decision of the Illinois Property Tax Appeal Board issued this date in the above entitled appeal, now of record in this said office.

Date: April 17, 2018



Clerk of the Property Tax Appeal Board

IMPORTANT NOTICE

Section 16-185 of the Property Tax Code provides in part:

"If the Property Tax Appeal Board renders a decision lowering the assessment of a particular parcel after the deadline for filing complaints with the Board of Review or after adjournment of the session of the Board of Review at which assessments for the subsequent year or years of the same general assessment period, as provided in Sections 9-125 through 9-225, are being considered, the taxpayer may, within 30 days after the date of written notice of the Property Tax Appeal Board's decision, appeal the assessment for such subsequent year or years directly to the Property Tax Appeal Board."

In order to comply with the above provision, YOU MUST FILE A PETITION AND EVIDENCE WITH THE PROPERTY TAX APPEAL BOARD WITHIN 30 DAYS OF THE DATE OF THE ENCLOSED DECISION IN ORDER TO APPEAL THE ASSESSMENT OF THE PROPERTY FOR THE SUBSEQUENT YEAR OR YEARS. A separate petition and evidence must be filed for each of the remaining years of the general assessment period.

Based upon the issuance of a lowered assessment by the Property Tax Appeal Board, the refund of paid property taxes is the responsibility of your County Treasurer. Please contact that office with any questions you may have regarding the refund of paid property taxes.

PARTIES OF RECORD

AGENCY

State of Illinois
Property Tax Appeal Board
William G. Stratton Building, Room 402
401 South Spring Street
Springfield, IL 62706-4001

APPELLANT

1126 W. Fullerton Condo Association, by attorney:
Timothy E. Moran
Schmidt Salzman & Moran, Ltd.
111 West Washington Street
Suite 1300
Chicago, IL 60602

COUNTY

Cook County Board of Review
County Building, Room 601
118 North Clark Street
Chicago, IL 60602